



# **Examining Equal Access to Justice in Missouri**

**Anne Dannerbeck Janku, Ph.D.  
Research Manager  
Missouri Office of State Courts Administrator**

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For more information, please contact: [Anne.Janku@courts.mo.gov](mailto:Anne.Janku@courts.mo.gov)

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## **Report Highlights**

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### **Profile of Poverty in Missouri**

- In Missouri and much of the nation, the biggest growth in poverty has occurred in the suburban areas around urban centers. The new poor are formerly middle class households dragged into poverty by unemployment, foreclosures, and uninsured medical costs. They may be more inclined to seek legal resolutions to problems than the traditional poor.
- Missouri's children increasingly live in poverty. Their poverty rate grew by 39 percent over the last decade. Almost 27 percent of children live in households at the 125 percent of poverty level.
- Children with disabilities are a very vulnerable group; one in three children with a disability lives below the poverty level.
- One of the most vulnerable groups in Missouri is female-headed households with children; this group's poverty rate is 40 percent.
- While a safety net does exist to serve the needs of veterans, veterans from the most recent Gulf War and those from the Vietnam era are vulnerable to living in difficult circumstances. They have legal needs that are not being met adequately, particularly regarding family cases and consumer finance matters. The trauma they experienced while serving has enduring impacts, leaving many with disabilities and an incomplete safety net.
- About half of impoverished individuals work, almost nine percent full-time and 35 percent part-time. They may have to choose between paying for legal representation or for basic necessities.

### **Legal Needs of the Poor in Missouri**

- Based on a 2002 study and 2010 poverty counts, low income households in Missouri have more than 625,000 legal problems requiring resolution.

### **Missouri Legal Aid Services**

- In 2011 legal aid offices were able to accept 50 percent of the applications they received or 21,531 applications.
- Already a high volume area, housing saw a significant increase from 2009-2011, growing by almost 30 percent in cases closed.
- From 2009 to 2011, Missouri's four legal aid offices closed 54,555 cases.
- Comparing cases closed to estimated legal need indicates 91 percent of the legal problems of Missouri's poor are not being resolved with direct assistance from legal aid offices.

### **Courts and the Economic Downturn**

- Since the onset of the economic downturn in 2007, overall case activity has decreased. However, filings on case types associated with economic hardship, after increasing significantly, have now stabilized at a level of 10,000 cases above where they were prior to the downturn.

### **Missouri Court Accommodations for Low Income Households:**

1. During fiscal 2011, more than 2,200 motions to proceed *In Forma Pauperis* were filed in Missouri courts; three-fifths of them were in family cases.
2. Self-Representation
  - In 2011, of 4,921 respondents to a questionnaire about Missouri's 'Representing Yourself' website, 48 percent indicated they would not use an attorney because it was too expensive.
  - Applying this 48 percent to the 76,973 *pro se* filers in fiscal 2011, suggests 36,947 of them could not afford an attorney.
  - Results of a national survey of judges indicate self-representation is associated with increases in procedural errors, failure to present necessary evidence, ineffective witness examination, failure to properly object to evidence, and ineffective arguments.
  - In such situations, judges struggle to maintain impartiality while preventing injustices and clerks try to assist *pro se* parties to correctly complete forms while avoiding giving legal advice.
  - Similar to national observations on comparisons to non *pre se* filers, *pro se* filers in Missouri tend to have a higher proportion of judgments against on their cases involving family, housing, and consumer finance matters.

### **Alternative Resolutions to Legal Problems in Missouri**

- Individuals without access to legal aid or financial resources to hire an attorney often wait years to resolve their problems, putting themselves and their children in insecure living environments.
- Individuals who seek help at domestic violence and homeless shelters have low levels of functional and financial literacy, which compounds their legal problems. Even if a legal resolution is found for a problem such as unmanageable debt, individuals may lack the skills to avoid having the same problems in the future.

### **Economic Benefits of Legal Aid in Missouri**

- According to a 2009 study, every dollar spent on legal aid results in \$1.84 in additional benefits (primarily through federal transfer payments).
  - The benefits are derived from \$7.1 million in Social Security and Supplemental Security Income and \$6.8 million in federal operating grant.
  - The resulting economic stimulus amounted to \$24.9 million in new jobs and sales.
  - Legal aid offices helped clients obtain \$4.5 million in Medicare and Medicaid benefits and saved an estimated \$3.7 million in avoided costs associated with domestic violence.
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Individuals living in poverty often struggle to provide the basic needs of shelter, food, and medical care for their families. Most such households have few resources to cope when unexpected problems arise and as a consequence, those living in poverty are considered a vulnerable population. When they have problems of a legal nature, impoverished individuals may turn to legal aid services for help. Legal aid provides access to justice in certain civil proceedings for people who cannot afford private attorney services, primarily people who live at 125 percent or less of the poverty level. The purpose of this report is to provide a picture of the access to justice for those Missourians who are vulnerable to adverse conditions because of their poverty status.

The report will address the following questions:

- Who are the poor in Missouri and which groups are the most vulnerable?
- What is the scope and magnitude of legal problems among poor households?
- To what extent can available legal aid resources meet the needs of poor households?
- How are the courts accommodating legal access for impoverished individuals?
- To what extent are individuals turning to self-representation as a means to overcome financial limitations and what is the impact of self-representation on access to justice?
- What alternative means do impoverished individuals use to resolve problems with a legal basis?
- Is there an economic rationale for expanding legal aid services?

## **Profile of Poverty in the State of Missouri U.S. Census 2010**

The official poverty line is determined by a formula that accounts for household composition. The poverty line in 2010 was \$11,344 for individuals under age 65, \$10,458 for individuals over age 65, and \$22,113 for a family of four. Legal aid services generally are available for those making up to 125 percent of the poverty line, or \$24,641 for a family of four.

From 2000 to 2010, the total population in Missouri increased by 7.1 percent, but the total population below the poverty line increased by 39.3 percent to 344,075 people. The percentage of people below the poverty line in Missouri is very similar to the percentages for the same demographic in the country as a whole. While 6.6 percent of Missouri's population lives in extreme poverty (50 percent of poverty level), about 15 percent live below the poverty line and 20 percent below the 125 percent line (Table 1). Next we will examine specific groups within the population (disabled, veterans, children, women, elderly, etc.) to identify who is most vulnerable and who potentially could derive the greatest benefit from legal aid services.

### **Women**

The proportion of females below the poverty line (16.1 percent) remains higher than for males (14.4 percent) but the percentage increase has slowed over the last decade (Table 2). The proportion of total population that is female ranges from a little less than half for children less than five years old to 60.1 percent for those individuals 75 years or older. The highest percentage of individuals under the poverty line is 30.1 percent for females 18 to 24 – prime child-bearing years. Viewed from the perspective of children, 40 percent of female-headed households with children under age 18 live in poverty. Together, these statistics pinpoint this group of women and children as one of the most vulnerable. They may benefit from legal aid services for basic needs, family matters, and to ensure their safety in situations of domestic abuse.

### **Children and the Elderly**

Children are considered a potentially vulnerable group because living in poverty can impact in many ways their chances of success in life. Because older adults often have a fixed income, they are considered a potentially vulnerable group. From 2000 to 2010, the number of individuals under 18 dropped by 0.7 percent (Table 3) but the number of children below the poverty line increased by 31.9 percent. Children under age 18 have the highest proportions of poverty of any age group, encompassing 26.8 percent of all of Missouri's children at the 125 percent of poverty line (Table 1). Almost 10 percent live in extreme poverty (Table 4). The number of elderly (65 and over) increased by 13 percent but the number of elderly below the poverty line is only up 3.9 percent (Table 4). Thus children in Missouri can be considered a significantly vulnerable group compared to the elderly.

### **Disabled**

Those with disabilities are more likely to live at or near the poverty line because of limited employment opportunities and medical costs. Unlike other impoverished groups in the population, those with disabilities tend to endure long-term poverty. If an individual is officially recognized as having a disability, s/he can apply for government benefits, particularly

Supplemental Security Income. However, many individuals who apply are rejected. Having legal representation to assist in the application process may facilitate receipt of such benefits. In Missouri 15.1 percent of individuals at the extreme poverty level have a disability. This proportion increases to 21.1 percent for the greater than 100 percent and greater than 125 percent poverty levels. One out of three (31.5 percent) disabled individuals under 18 are below the 100 percent poverty level. This ratio drops to one out of eight (12.9 percent) for people 65 and over with a disability (Table 5 and Table 6).

### **Working Poor**

Many individuals who fall below the poverty line are employed – 8.6 percent full-time and 35.2 percent part-time. The majority of the poor, 56.0 percent do not work at all (Table 7). The working poor may face a double dilemma of earning too much money to qualify for legal aid but not earning enough to cover legal representation and their basic needs. They potentially are a vulnerable group.

### **A Detailed Look at Veterans, Poverty, and Legal Needs**

Veterans are a significant population group whose well-being should be considered given their service to the nation. Approximately half a million veterans reside in Missouri, constituting about 11 percent of the population 18 and older compared with 9.4 percent nationwide (Table 8). Veterans typically are categorized by whether they served in peacetime or wartime, and by which war. These categorizations provide some general indicators about the nature of the conflict, age group, and social context of their service. The majority of Missouri veterans served during war time, with Vietnam era veterans being the most prevalent. The vast majority of veterans are male (Table 9).

In assessing vulnerability related to poverty and legal problems, the first thing to examine is the income level. In Missouri, 7.7 percent of our veterans have income below the poverty line compared to the national average of 6.7 percent.

A primary source of income is employment. In mid-year 2012, the veterans' unemployment rate was at 7.6 percent, lower than the general population unemployment rate of 8.3 percent. However, when one subcategorizes veterans, a different picture of vulnerability emerges (Table 10). Young veterans from the most recent Gulf War may have just returned from active duty and are unable to find a job in a down economy. Veterans ages 18 to 24 have the highest rates of unemployment (13%) and the highest rates of poverty (14%). While non-veterans may not have skills to get a job, young veterans may have difficulties in translating military skills into skills valued by employers. Veterans nearing retirement may have been laid off and not able to find another job when competing against younger, less costly workers. Those who are elderly and on a fixed income may need an increase in financial assistance to cover increased medical costs and nursing home care. Those who serve in the reserves may have a difficult time maintaining a job while also fulfilling the duties of the reserve forces. They are not as thoroughly prepared for duties in combat zones as regular forces are, and as a result, have more problems readjusting to civilian life including maintaining a job.

A primary reason veterans of any war cannot get a job is related to disabilities. Many veterans suffer from service related injuries, which leave them physically and mentally disabled. Some evidence exists that work-limiting disabilities are more prevalent among veterans (Wilmoth, et al. 2011). In Missouri, 38.7 percent of veterans below the poverty line have a disability; very close to the 37.0 percent rate nationwide (Table 8).

When eligible, veterans generally can obtain Social Security and Veterans Affairs disability and pension benefits to support them once they leave active duty. For a variety of reasons they may not receive benefits even when eligible. While they can apply to the Department of Veterans Affairs for assistance, a backlog in claims may mean waiting a year to receive needed benefits and in the meantime, individuals may fall behind paying bills and become impoverished. Others may be eligible for financial assistance but are unaware such help exists from either the social security system or Veterans Affairs. Another barrier to receiving financial assistance is a perceived stigma among veterans about needing financial assistance, a stigma which originates in a self-reliant military culture. A final barrier is that they may not have proper legal documentation to apply for benefits because they may have lost documents during the many moves associated with military service.

Homelessness among veterans is a serious issue. In Missouri 13,549 veterans typically are homeless. Factors contributing to homelessness include physical and mental disabilities, lack of adequate and affordable housing, and high unemployment. Many veterans suffer ongoing effects of violence exposure and have limited family and community support, making them particularly vulnerable to homelessness.

Because they are so vulnerable and because their vulnerability is associated with their military service, the Veteran's Administration has put tremendous effort into understanding the needs of homeless veterans and working to meet them. Each year, they conduct a needs survey of homeless veterans and the agencies who serve them through Veterans Affairs centers. Missouri's four centers are located in Kansas City, Poplar Bluff, Columbia, and St. Louis. Included in the survey are items about legal needs. Among the top 10 needs identified by veterans are legal assistance with child support, outstanding warrants and fines, and help to restore driver's licenses. Many veterans lose their license because they fail to meet child support obligations. Without a license many do not have any legal identification to apply for benefits nor do they have adequate means of transportation to get to a job. Thus they fall into a downward spiral and end up homeless. Columbia has the highest indicator of need for legal help with child support issues. Poplar Bluff has the highest need for assistance in obtaining social security benefits (CHALENG Survey 2010).

According to a local service provider, female veterans have significant legal needs. Many of those seeking assistance suffered sexual abuse as a child and then again as a service member. Neither sexual trauma nor trauma that predates military service are adequately addressed in the veteran's health care system. The trauma of abuse coupled with violence exposure in the course of military service makes female veterans a high needs group, one with disability issues associated with employability and vulnerability to poverty. Their typical legal problems are related to child welfare. They often have child custody issues which may be compounded by episodes of homelessness and drug abuse.



In sum, while a safety net does exist to serve the needs of veterans, certain subgroups are vulnerable to living in difficult circumstances. They have legal needs that are not being met adequately. Veterans from the most recent Gulf War and those from the Vietnam era seem to be the most vulnerable. The trauma they experienced while serving has enduring impacts, leaving many with disabilities and an incomplete safety net.

### **Geographic Distribution of Poverty and the New Suburban Poor**

The poverty rate in the suburbs grew 53 percent in the last decade compared to 26 percent in the cities. Over two-thirds of the new suburban poor were added between 2007 and 2010. Both St. Louis and Kansas City experienced a 50-75 percent increase in suburban poverty (Berube & Kneebone, 2011). The economic downturn that began in 2007 has created conditions of vulnerability for many middle class families as well; vulnerable because they, too, lack resources to cope with unexpected problems. More and more such families are falling into poverty because they lack resources to cope with long-term adverse conditions. Unemployment, uninsured medical care, foreclosure, disability, consumer credit debt, and even being a veteran all have been pathways to poverty for some people, and forces to remain in poverty for other people.

Those areas with the highest level of poverty include northern St. Louis city and county (21.3 percent of the region's population) where 30.8 percent of individuals under 18 were below the poverty level; southeast Missouri, namely Cape Girardeau and the Bootheel (19.8 percent), where 27.8 percent of individuals under 18 were below the poverty level; Kansas City and most of Jackson County (17.8 percent); and southwest Missouri, namely the Springfield and Joplin (17.7 percent) areas. The highest level of poverty for individuals 65 and over was in northern St. Louis city and county (15 percent.)

The distribution of poverty changed somewhat during the last 10 years. The biggest changes in overall proportions of individuals below poverty were in counties with large suburban populations, reflecting the trend of poverty moving to the suburbs. These include Franklin County, where poverty increased from 10.4 to 17.4 percent; Greene County, where it increased from 12.7 to 20 percent; and Cole County, where it increased from 7.2 to 10.6 percent. Cole and Franklin counties almost doubled the percentage of youth under age 18 below poverty – 8.3 to 16.5 percent and 14.9 to 27.7 percent, respectively. Boone County had an increase from 4.9 percent to 10.6 percent in the proportion of individuals 65 and over living below the poverty level.

### **Focus on Poverty and Legal Needs in Greene County**

According to a spokesperson at a community service agency in Springfield, Mo, the average wage in Greene County is \$12,000 less than the state average. He also reports that 49 percent of families with children under age five are in poverty. The poverty rate in Greene County has increased because more people are moving from surrounding counties with worse economic conditions.

Many of the people served by his agency want to work but have other life problems. Many of them can get a job but have trouble keeping it.

A typical legal problem involves housing and utility issues. In Greene County if you have past due bills with the utility company you cannot get utilities turned on in a new residence. To get around this problem landlords fold utility costs, estimated at an inflated rate, into rent for substandard housing. People who have no alternatives end up in substandard housing with faulty wiring, raw sewage, no window locks, no heat, and no options for moving because of unresolved utility bill issues.

His agency has an attorney visit once a month to assist people with legal problems. Many of the people served do not understand the legal system and many of them have legal problems that do not rise to the level of needing to retain an attorney. This spokesperson suggests that a triage system is needed. Individuals need someone to hear about their problem who can offer advice and determine if it is a simple issue that will take 30 minutes to fix, something that will take a moderate amount of time or something quite serious necessitating retaining an attorney. The people who come to his agency do not know how to access Legal Aid.

He also suggests that Legal Aid rethink access points for their services. Instead of expecting people to come to their office, attorneys should come to where the people are, such as neighborhood schools, which would be perceived as a neutral place. Many of his clients distrust the 'system' and try to avoid offices associated with formal administrative structure and government.

The problems faced by the long-term and newly poor, namely high unemployment rates, uninsured medical care, foreclosures, disabilities, and consumer credit debt, often involve problems that could be resolved in the legal system. In addition, the strains of living with a high level of unmet needs can lead to family breakup, domestic violence, child abuse, and other problems that also could have a legal resolution. Next, we will examine the scope and magnitude of legal problems of the poor.

## Legal Needs of the Poor in Missouri

In 2002, Professor Greg Casey in collaboration with a research firm, surveyed a representative sample of poverty level households in Missouri regarding their legal needs over a three-year period (1999-2001). He used the responses to calculate the proportion of households with legal needs in case categories served by legal aid. The categories and proportional distribution are listed in the table below. The proportions are applied to current poverty numbers to calculate the current magnitude of legal need among poverty households in Missouri.

**Estimates of Legal Needs in Missouri among Individuals Living in Poverty, 2010**

	<b>Percentage Missouri Poverty Households Reporting Legal Problem Category during 1999-2001*</b>	<b>Using 2010 Population in Poverty (344,075)* Estimated Number of Households with Legal Problem</b>
Consumer Finance	17.13%	58,940
Education	11.74%	40,394
Employment	30.31%	104,289
Family	28.03%	96,444
Juvenile	5.99%	20,610
Health	12.14%	41,771
Housing	40.65%	139,866
Income Maintenance	3.46%	11,905
Rights	7.22%	24,842
Miscellany	25.04%	86,156
Total		625,219

\*Sources: Casey 2002; Census Bureau Table B17017 - Poverty Status in the Past 12 Months by Household

Professor Casey calculated that 77 percent of low-income households faced at least one legal problem during the 3-year period preceding his report in 2002. The 2010 Census indicates 344,075 households in the state of Missouri had income in the past 12 months at the 100 percent poverty level. Applying Casey's analysis, almost 250,000 low income families in Missouri will face at least one legal problem in the next three years. Many households will experience multiple legal problems with a total number of 625,000 legal problems predicted. The majority of these legal problems will involve housing, employment, or family issues.

These estimates of legal need should be viewed with caution. The proportional distribution of need across categories may have changed to reflect changing demographics and economic conditions. A comparison of these proportions to those from surveys done in other states indicates wide variation in how legal needs are distributed across categories from state to state. Besides differences in societal conditions at the time of each survey as well as geographic variation in such conditions, how legal needs were determined may differ also. Typically, an attorney reviews survey responses and identifies those that have a legal basis. Individual interpretations of what constitutes a legal problem may be subjective. With some sense of the scope and magnitude of legal problems facing the poor, we next will look at the extent to which legal aid services are able to meet this estimated need.

## Legal Aid Services in Missouri

Each year legal aid offices receive far more requests for services than they can accept. Requests are received for a variety of case types, with family and housing predominating. The primary reason for rejecting requests is lack of resources. Other reasons include case types they do not handle, e.g. criminal cases, the requestor was out of jurisdiction, conflict of interest, and incomplete intake. In 2011 the four legal aid offices received 42,586 applications for legal aid. They were able to accept 21,531 applications for assistance, a 50 percent acceptance rate.

### 2011 Counts of Applications Received and Accepted by Legal Aid Office

Legal Aid Office	Applications Received	Accepted
Eastern	19,113	10,512
Mid-Missouri	2,623	1,656
Western	9,746	6,426
Southern	11,104	2,937

Source: Legal Aid offices of Eastern, Western, Southern, and Mid-Missouri

Another measure of the impact of legal aid services is the number of cases closed in a year. During the three year period, 2009 to 2011, education related matters experienced the biggest jump in cases closed, followed by employment. Both of these case types have relatively few cases so changes are magnified. Family and housing have the biggest volume of specific case types and they also experienced significant increases (10.5 and 29.7 percent, respectively) in case closings. Individual rights and income maintenance experienced drops in cases closed over the three year period (-42.3 and -10.9 percent, respectively) (Table 11).

### Cases Closed during the Calendar Year by Legal Aid Office

Legal Aid Office	2009	2010	2011
Eastern	6165	8018	7666
Mid	1394	2613	1709
Western	6262	6134	6076
South	2326	1367	2816
Total	18,156	18,132	18,267
3 Year Total	54,555		

Source: Annual reports submitted by the legal aid offices to the Supreme Court of Missouri

One must interpret these trends in cases closed with some caution. Many factors could determine when a case closes including its priority in affecting the welfare of the parties, the legal resources dedicated to it, the complexity of the case, etc. These statistics do provide an indicator of patterns in what kinds of issues are being resolved but not what kind need to be resolved.

The impact of legal aid services extends beyond counts of cases accepted or closed. During the course of a year, legal aid offices serve many people who have pending cases. In addition, legal aid offices keep track of how many people are actually on closed cases. Legal aid services also impact people through community outreach, education, distribution of legal materials, and referrals.

Another way to assess the impact and need for legal aid services is to compare needs met to unmet. Casey's (2002) study estimated unmet legal need based on the calculation of need reported above and the actual number of cases closed by legal aid over a three year period. Applying this analysis to current legal aid service data, we find that about 91 percent ((625,219-54,555) / 625,219) of current legal need cannot be met by legal aid services.

The implications of these estimates should be viewed with caution. While the nature of the problems identified in the survey could have a legal basis, it does not imply they need to be resolved through the court system. People typically enlist court involvement as a last resort for the following reasons: the cost implications, perceived risk for some in having the courts involved in their life, unawareness that the legal system might provide an appropriate resolution to the problem, and because many people simply learn to live with the problem. Thus, while poor households in Missouri may face more than 600,000 potential legal problems, many of them do not require legal assistance. Consequently, this analysis most likely overestimates both legal need and unmet need.

"If every Missouri attorney volunteered for one pro bono case each year, most unmet needs would be fulfilled" (MoBar, 2012). According to the American Lawyer magazine, pro bono work by large law firms has decreased in the last several years as a result of general economic induced downsizing. However, the American Bar Association refutes this claim and reports that the trend in pro bono work is actually increasing (Collins, 2012). Some states are actively encouraging pro bono work by measures such as making pro bono work a requirement for a law license, allowing non-attorneys to provide some pro bono assistance, and holding educational events focused on pro bono work. The Missouri Bar is taking steps to encourage more attorneys to do pro bono work to assist in meeting the tremendous need for legal representation.

It is important to note the economic downturn may have changed legal needs; certainly the poverty profile has changed. The focus of the report turns next to accommodations courts make to ensure that impoverished individuals can access justice.

## **Court Accommodations for Impoverished Individuals**

Both national observers and some state studies have documented an association between the economic downturn and changes in court activity, at least for certain case types. Examining trends in Missouri from a general perspective shows that case filings for all case types have decreased somewhat over the last three fiscal years. Almost half of all cases filed every year are civil cases (Table 12). Quite possibly people are less able to afford to seek legal remedies for civil matters, however this statement is speculative; these trends cannot be directly associated with the economic downturn.

The picture changes somewhat when particular case types are examined. A recent study in Missouri indicates an association does exist between the economic downturn and cases associated with financial difficulties. From 2006-2008, during the time that the downturn became a recession, the number of civil filings suggestive of economic hardship (contracts, housing, foreclosures, tax actions, etc.) increased by more than 40 percent or 19,000 cases (Rehagen, Vradenburg, & Gaynor, 2009). From 2009-2011, as the economy stabilized, the filings on these economic hardship related cases stabilized at a level of 10,000 cases above where they were before the downturn (Rehagen & Vradenburg, 2012). These are case types that suggest individuals may be transitioning from middle class households with assets to impoverished people. Legal aid might be beneficial to assist individuals in protecting their assets and avoid falling into poverty.

In 2010, Missouri Attorney General Chris Koster held hearings around the state to enhance Missouri's response to domestic violence. He was responding to reports that domestic violence shelters were experiencing an increased demand for their services; a trend that was attributed to household financial strain and the economic downturn. Researchers looked at trends in domestic abuse case filings to determine whether a relationship existed between the economic downturn and such cases. The analysis does indicate some association. For the period 2009-2011, adult protection orders increased while child protection orders decreased (Gaynor, 2012). Criminal case filings for charges related to family violence generally decreased over this time period. A notable exception was for circuit division domestic assault charges 3rd degree, which increased more than 1,000 percent. However, case filings may not be the best indicator of trends in domestic abuse because victims may not be able to afford to file a case.

Thus far we have examined impacts of the economic downturn on court activity as a way to understand how financial constraints may impact the ability of individuals to seek a legal remedy for a problem. Next, the attention turns to how the courts are accommodating the needs of the poor through lower court costs, *In Forma Pauperis* (IFP), and self- representation.

### **Special Accommodations to Lower Court Costs**

Filing a civil case in court generally costs money, even if no attorney participates in the proceedings. Parties can request the courts make certain accommodations to minimize financial burdens for impoverished parties. A recent trend analysis study examined court patterns in making special accommodations for parties. One significant practice related to financial hardship was identified. Using fiscal 2009-2011 data, the study found petitions to proceed without paying generally were stable over the three year period for all case types but showed significant trends

within case types (Table 13). The largest number of cases with this accommodation was for family cases (Vradenburg, 2012). Requests grew the most for cases associated with consumer finance (188%) and housing (143%).

### ***In Forma Pauperis***

When a civil case is filed, the process of collecting deposits, taxing court costs, and billing and collecting costs as ordered by the court is initiated. For each civil case filed, except protection orders, a cost deposit is collected if authorized by local court rule or ordered by the judge. If the required deposit is not tendered with the filing, it is up to the judge to decide whether to accept the filing. If the plaintiff is indigent, the court may permit the plaintiff to file the civil action without a cost deposit.<sup>1</sup>

During fiscal 2011 (7/1/10 – 6/30/11), more than 2,200 motions to proceed *In Forma Pauperis* (i.e., in the manner of a poor person) were filed in Missouri's circuit courts (Table 14). *In Forma Pauperis* is a petition filed by a poor person to proceed in court without having to pay court costs such as filing fees. In most civil cases, it does not cover other costs, such as those involved in discovery, service of process, and attorney appointments.<sup>2</sup> For circuit civil cases – including domestic relations – court costs can be as little as \$80, and less than half that for associate civil cases.<sup>3</sup> Costs vary more widely in probate, but costs for a guardianship are almost \$100.<sup>4</sup>

In fiscal 2011, approximately three-fifths of IFP motions were filed in family (generally domestic relations) cases, while one-fifth were filed in individual rights cases.<sup>5</sup> Family includes – but is not limited to – dissolutions, paternity, access, and guardianship cases. Individual rights include post-conviction relief, habeas corpus, and review of administrative agency decisions/actions. Others include termination of parental rights, minor guardianships, and declaratory judgments.

### **Self-Representation**

Missouri courts permit self-representation. A person who represents himself in court without the help of a lawyer is said to appear *pro se*, or "on one's own behalf."<sup>6</sup> To assist individuals considering self-representation (*pro se*) in family law matters, the Committee on Access to Family Courts developed a website with relevant resources. The committee also posted a survey form on the website to learn more about individuals who consider filing a case *pro se*.

In 2011 4,921 individuals responded to the survey. More than half reported salaries below the poverty line (Table 15). The most common reason for not using an attorney, reported by 48 percent of respondents, was that it would be too expensive (Table 16 & Table 17). The majority of respondents were parties in a divorce, with custody issues being the next most common type of matter (Table 18).

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<sup>1</sup> Missouri Office of State Courts Administrator. Court Clerk Handbook 4.1, Phase 2. Chapter 800 – Court Costs/Financial Management – Civil Court Costs. Jefferson City

<sup>2</sup> The 'Lectic Law Library. Lexicon. LECTLAW.COM

<sup>3</sup> Missouri Office of State Courts Administrator. Civil Court Costs {Card}. Effective 8-28-11. Jefferson City

<sup>4</sup> Missouri Office of State Courts Administrator. Probate Court Costs {Card}. Effective 8-28-11. Jefferson City

<sup>5</sup> Data taken from the Justice Information System. Docket entry = MFOPA – motion to proceed *in forma pauperis*.

<sup>6</sup> The 'Lectic Law Library. Lexicon. LECTLAW.COM

When adjusted by type of court action (i.e., case type), there were more than 75,000 separate *pro se* parties (i.e., self-represented litigants) on cases filed in Missouri's circuit courts during fiscal 2011.<sup>7</sup> This analysis includes any litigant who, at any time during the court proceeding, was self-represented.

Another way to look at *pro se* filers is through actual court activities recorded in the state court data system. Almost two-thirds of *pro se* filers were for family (generally domestic relations) cases. Family category case types with a large number of *pro se* filers included adult and child protection orders, dissolutions, modifications and access, and paternity. The consumer-finance (small claims, suit on account, breach of contract, etc.) and housing (rent & possession, landlord complaints, unlawful detainer, etc.) categories also had a sizeable number of *pro se* filers.

**Cases with *Pro se* Filer, Fiscal 2011**

<b>Legal Aid Category</b>	<b>Motion Count</b>	<b>Percent</b>
Consumer-Finance	12,989	16.9%
Employment	78	0.1%
Family	50,030	65.0%
Juvenile	52	0.1%
Housing	8,955	11.6%
Income Maintenance	1	0.0%
Individual Rights	963	1.3%
Miscellaneous	3,905	5.1%
Total	76,973	100.0%

Source: Missouri Judicial Information System

If one assumes the survey respondents are representative of all *pro se* filers, then one can conclude 36,947 (76,973 x 48 percent) parties filing *pro se* could not afford an attorney.

As these analyses show, the economic downturn has impacted courts first by increasing the number of people in poverty and their estimated need for legal assistance. Trend analysis indicates filings of certain case types associated with financial hardship have stabilized and courts are making more accommodations for low income households. The next section looks briefly at how these accommodations are impacting the administration of justice.

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<sup>7</sup> Pro Se party estimates reflect a count of active and distinct PARTY IDs, by CASE TYPE, with a Pro Se PARTY TYPE CODE on cases filed during the fiscal year.



## **Impact of the Lack of Legal Assistance on the Administration of Justice**

In recent years, as more people have filed *pro se*, concern has been voiced about how this impacts the administration of justice. One way to examine this issue would be to look at the impacts on court proceedings. Another approach is to compare case outcomes for *pro se* filers to those with legal representation.

### **Impacts on the Courts**

The American Bar Association Coalition for Justice conducted a nationwide survey of judges to gauge the impact of the economic downturn on representation in the courts. The majority of judges responded they had experienced an increase in unrepresented litigants and this increase negatively impacts the effectiveness and efficiencies in the court. Errors by the party included procedural errors, failure to present necessary evidence, ineffective witness examination, failure to properly object to evidence, non-preservation of error, and ineffective arguments. As a result, court procedures are slowed, case backlogs occur, and judges struggle to maintain impartiality while preventing injustice (Conference of Chief Justices, 2012).

In 2012 Missouri conducted a ‘*Pro Se Survey of Court Clerks.*’ Among the 45 respondents, 68 percent reported it takes significantly more time to provide assistance to *pro se* parties. Clerks report most frequently encountering *pro se* party issues with filling out forms correctly and requesting the clerk’s opinion about the accuracy of forms. Clerks expressed mixed views as to whether these forms of assistance fall within their purview or are better handled by an attorney because of the legal implications of the information. While this type of clerical support is relatively recent in Missouri, other states have been providing assistance to *pro se* filers for some time. The assistance is viewed as being fact-specific but fully neutral in regards to one party viz the other. In 2011, the U.S. Supreme Court reached a decision in *Turner v. Rogers* that has implications for self-representation. Turner references ‘neutral services’ as an area where courts can support *pro se* filers. The decision took the side of the self-represented party in laying out requirements of fairness and accuracy for due process. In that particular case, the court found that judicial questioning and availability of court forms are aspects of due process for *pro se* filers (Zorza 2012).

While the lack of legal assistance impacts court proceedings, other court accommodations related to cost adjustments have implications also. Analysis of cases filed with waived fees in fiscal 2011 indicates the costs waived could have been as high as \$1.4 million (Kloeppel & Vradenburg, 2011). Court costs are collected and reallocated by a formula to various funds, such as the Victims Restitution Fund. Waived costs mean less money available to the recipients of these funds.

### **Impacts on Individuals**

Some attorneys believe people who represent themselves are more likely to lose their cases (Collins, 2012) because they do not have the legal expertise to effectively navigate the legal system. Researchers analyzed this issue for Missouri *pro se* civil case filers from two perspectives. First, the analysis compares the manner of disposition for *pro se* and non *pro se* filers and then the analysis focuses specifically on judgments against *pro se* petitioners.

In fiscal 2012, 75,000 parties to civil cases were *pro se* party types. The greatest proportion was for family cases (protection orders, marriage and custody issues). Compared to non *pro se* party types, *pro se* types were associated with a higher proportion of family cases and lower proportion of consumer finance cases. The most common outcomes for active *pro se* party types at disposition were: dismissed by court without prejudice, tried by court, dismissed by parties, default judgment, and consent judgment. In comparison to non *pro se* party types, *pro se* types had higher proportions of family cases with dispositions of dismissed by court without prejudice, tried by court, and uncontested outcomes. For consumer cases, *pro se* parties had comparatively lower proportions with dispositions of default judgment, dismissed by parties, consent judgments, and change of venues.

In comparing (*pro se* to non *pro se*) dispositions within case types, some differences are noteworthy. *Pro se* litigants are more likely to use the full resources of the court as indicated by disproportionately more of their cases being tried by court and fewer having dispositions of dismissed by parties, consent judgment, and default judgment. They also are more likely to have their cases dismissed without resolution as indicated by a disproportionate number of dismissed by court without prejudice outcomes. (Vradenburg, 2012b)

In fiscal year 2012, 13,500 judgments were made against *pro se* parties. In comparison to non *pro se* petitioners, *pro se* petitioners had a higher proportion of judgments against for cases involving family, housing, and consumer/finance cases. These results provide some evidence to support the contention that people who represent themselves are more likely to lose their cases, at least for certain case types. To fully test this hypothesis, the analyst would need to have more information about the nature of the cases used in the comparison to control for other factors that could impact case outcomes besides *pro se* status.

While courts are making accommodations and legal aid services diligently look for funding each year to expand their services, many individuals still lack a means to resolve problems through the legal system. The next section examines what happens when they do not have access to legal services.

## Alternative Resolutions to Legal Problems

So far we have reviewed the association between economic conditions and court activity through the perspective of poverty level households, the courts, and legal aid services. Legal aid services have published multiple accounts of how their services have impacted households positively. A remaining question is what happens to people with legal problems who do not have access to legal services and who do not take their problems to court to be resolved?

To answer this question, agencies were contacted who provide services to people who end up in 'difficult circumstances' in Columbia, Mo. Interviews were conducted with staff from True North, a domestic violence shelter, and Salvation Army/Harbor House, a homeless shelter. Staff at both agencies were asked to describe what people do when they cannot obtain legal representation for legal problems and what happens to their problems as a result of no legal resolution.

True North helps many individuals obtain *ex-parte* orders but they also refer them to legal aid services for legal problems. If an application for legal aid is rejected for some reason, women in domestic violence situations may try to borrow money from family members for an attorney, find an attorney who will reduce their fees or allow the client to receive services with the expectation the attorney will be reimbursed in the future. The staff person said it is increasingly difficult to find attorneys who will represent a client for anything but upfront payment of standard fees. As a result of no legal services, some women remain stuck in a marriage or with an undesirable custody arrangement, further threatening the well-being of the women and children. Many of the women who come to them for help earn too much money to qualify for legal aid but not enough to pay for legal assistance and cover all other household expenses as well. Many of them have a bad credit rating, which further constrains their ability to obtain legal services.

*Laura [fictive name] and her three children sought refuge at Harbor House, a homeless shelter in Columbia, Mo, to escape an alcoholic, abusive husband and father. Laura had no money to hire an attorney and file for divorce and custody of her children. She and her children resided at Harbor House for almost two years while she worked and saved money to pay for the legal costs of her divorce. She and the children now live independently. Her ex-husband has been ordered to pay child support but he rarely does so. Laura has ongoing need for legal services yet no money to pursue her case.*

*Aaron [fictive name] has a 'textbook' disability. He has applied for disability support on his own several times but his application has been rejected. He is struggling to live independently. His disability prevents him from working steadily. Although he is aware that his application will have a much better chance of being approved if he has an attorney, the attorney may claim up to one-third of any disability payment he would receive so he is reluctant to pursue his case.*

Many of the individuals who come to Harbor House seeking shelter have a disability. They typically have applied for disability benefits but their application has been rejected. Even if they

have received benefits, they may not know how to manage their limited money to make ends meet.

*A grandmother had spent her entire \$1,000 monthly disability check on a birthday party for her five-year-old granddaughter and now risked becoming homeless due to a lack of funds to pay rent.*

Other individuals, including some who are disabled or applying for disability status, have limited reading skills and cannot cope with problems of every day living. They often are unaware of legal remedies for their problems. For instance, those escaping domestic violence may want to get a divorce as a way to resolve the problem but often are not familiar with restraining orders.

In the last several years the Salvation Army has seen more people with serious financial problems who are deluged with debt. Through payday loans, rent to own arrangements, and medical bills, they have accumulated insurmountable debt. They do not know how to file for bankruptcy or avoid getting into the same situation if they do receive bankruptcy protection. The staff person from Harbor House concluded consumer education and legal aid combined would be the most effective approach for addressing the legal needs of the individuals they serve.

The number of poor continues to grow in Missouri. Legal aid offices cannot keep up with the demands for their services. Vulnerable groups in the population including women, children, and the disabled sometimes endure undesirable living conditions because they cannot seek a legal remedy for their problems. Ultimately, society may pay more for them to live with a problem than it would cost to resolve the problem through legal channels. The final section of this report examines the economic rationale for expanding legal aid services.

## **Economic Benefits of Legal Aid Services**

A number of states have completed economic impact studies of legal aid services, most notably Florida, Pennsylvania, and New York. The economic benefits of legal aid center on increases in federal transfer dollars coming into the state (primarily from Supplemental Security Income), savings in emergency shelter and domestic violence victimization costs, and the economic stimulus effect of the federal dollar transfers. The analysis provides very compelling support for funding legal aid services. In the three states mentioned, the cost to benefit ratios varied from one dollar invested in legal aid generating from four to thirteen dollars in benefits. The bulk of the measurable benefits derive from the federal income transfers.

The Missouri Legal Aid Network funded an economic impact study in 2009. The analysis found the quantifiable economic impact was \$33.1 million, or \$1.84 in benefits for every dollar invested, which is in line with what other states have reported.

As reported in the Missouri study, the benefits were derived from \$7.1 million in Social Security benefits and Supplemental Security Income and \$6.8 million in federal operating grants for Missouri legal aid programs. These new federal dollars produced an economic stimulus of \$24.9 million in 2008 through sales to local businesses and jobs. In addition, legal aid offices helped clients obtain \$4.5 million in Medicare and Medicaid benefits and saved an estimated \$3.7 million in avoided costs associated with domestic violence victims.

## Conclusions

The poverty profile in Missouri is changing, at least in part because of the economic downturn that began in 2007. Poverty is increasingly a suburban phenomenon, hitting a middle class segment of society. Significantly more children are poor, especially those living in female-headed households. More and more young veterans of recent military conflicts find themselves impoverished as a result of physical and mental disabilities and lack of employment opportunities. While a safety net exists to support veterans, it does not necessarily meet their needs in a timely or effective manner.

Those living in poverty have many issues that *could* have a legal resolution, especially those associated with housing, employment, and family matters. Many people spend years in less than ideal circumstances because they cannot resolve their legal problems, putting their lives and the lives of their children at risk.

Courts have tried to accommodate the needs of the poor by waiving some costs and facilitating self-representation. Those who file *pro se* may be at a disadvantage in reaching a favorable disposition on their case.

Legal aid offices provide invaluable benefits to those they can serve, keeping people safe, in their homes, and able to access basic needs. However, the need for services vastly outnumbers the ability of legal aid offices to serve the poor. The economic benefits outweigh the costs, a fact that provides a strong argument for increasing funding for these services. However, some caution is advised in concluding that finding a legal resolution for many of the problems of the poor will resolve their issues. Many people living in poverty need functional and financial literacy training to minimize future problems.

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## Appendix

**Table 1. Profile of Poverty in the State of Missouri**

	<b>&lt; 50% Poverty Level</b>	<b>&lt; 100% Poverty Level</b>	<b>&lt; 125 % Poverty Level</b>
Total Population	6.6%	15.3%	20.0%
Male	6.3%	14.4%	19.1%
Female	6.9%	16.1%	20.9%
Under 18	9.6%	20.9%	26.8%
18-64	6.5%	14.5%	18.5%
65 and over	2.1%	9.1%	14.9%
Disability	6.5%	14.0%	18.3%

Source: U.S. Census 2010

**Table 2. Poverty in Missouri by Age and Gender**

	<b>Total Population</b>		<b>Below Poverty Level</b>		<b>% of Total Population</b>		<b>% Below Poverty Level</b>	
	Male	Female	Male	Female	Male	Female	Male	Female
Total Population	2,830,328	2,987,524	407,638	480,932	48.6%	51.4%	14.4%	16.1%
Under 5 years	193,684	184,499	52,137	49,519	51.2%	48.8%	26.9%	26.8%
5 years	37,201	37,284	8,194	7,795	49.9%	50.1%	22.0%	20.9%
6 to 11 years	235,483	222,738	51,658	44,180	51.4%	48.6%	21.9%	19.8%
12 to 14 years	119,924	117,325	19,320	18,391	50.5%	49.5%	16.1%	15.7%
15 years	38,216	39,421	6,673	5,302	49.2%	50.8%	17.5%	13.4%
16 and 17 years	85,585	80,135	13,578	14,212	51.6%	48.4%	15.9%	17.7%
18 to 24 years	265,117	262,252	65,726	79,066	50.3%	49.7%	24.8%	30.1%
25 to 34 years	369,854	387,903	49,438	72,187	48.8%	51.2%	13.4%	18.6%
35 to 44 years	357,765	377,708	39,614	52,131	48.6%	51.4%	11.1%	13.8%
45 to 54 years	433,833	449,627	47,010	49,402	49.1%	50.9%	10.8%	11.0%
55 to 64 years	343,810	374,865	31,853	37,987	47.8%	52.2%	9.3%	10.1%
65 to 74 years	207,691	238,640	12,109	22,350	46.5%	53.5%	5.8%	9.4%
75 years and over	142,165	215,127	10,328	28,410	39.8%	60.2%	7.3%	13.2%

Source: U.S. Census 2010



**Table 3. Aging of Population in Missouri**

	<b>% under 18</b>	<b>% 65 and older</b>	<b>Median Age</b>
2000	25.8%	13.1%	36.1
2005	24.0%	12.9%	37.4
2006	24.6%	13.0%	37.2
2007	24.5%	13.1%	37.5
2008	24.3%	13.2%	37.6
2009	24.1%	13.4%	37.6
2010	23.9%	13.8%	38.0

Source: U.S. Census 2010

**Table 4. Change in Poverty in Missouri by Age**

	<b>Total Population</b>	<b>Total population below poverty</b>	<b>% of total population below poverty</b>	<b>Under 18 below poverty</b>	<b>% of Under 18 below poverty</b>	<b>65 and older below poverty</b>	<b>% of 65 and older below poverty</b>
2000	5,433,293	637,891	11.7%	220,556	15.7%	70,476	9.9%
2005	5,607,978	748,023	13.3%	256,046	19.0%	65,991	9.2%
2006	5,674,490	769,584	13.6%	259,551	18.6%	76,094	10.3%
2007	5,708,785	742,486	13.0%	247,893	17.7%	69,189	9.3%
2008	5,738,696	768,092	13.4%	259,017	18.6%	70,138	9.3%
2009	5,818,541	849,009	14.6%	290,959	20.7%	67,510	8.6%
2010	5,817,852	888,570	15.3%	290,959	20.9%	73,197	9.1%
% Increase from 2000	7.1%	39.3%		31.9%		3.9%	

Source: U.S. Census 2000 to 2010

**Table 5. Disability and Poverty Levels in Missouri**

	<b>&lt; 50% poverty level</b>	<b>&lt; 100% poverty level</b>	<b>&lt; 125% poverty level</b>
Total number at poverty level	384,843	887,417	1,462,645
with disability	58,184	186,784	307,758
no disability	326,659	700,633	1,154,887
% of persons at poverty level			
with disability	15.1%	21.0%	21.0%
no disability	84.9%	79.0%	79.0%

Source: U.S. Census 2010

**Table 6. Poverty as Function of Disability in Missouri**

		With Disability			No Disability		
	Total Population	Total	Below 100% Poverty Level	% below 100% level	Total	Below 100% Poverty Level	% below 100% level
Under 18	1,391,495	61,847	19,455	31.5%	1,329,648	271,504	20.4%
18-64	3,609,858	438,149	127,110	29.0%	3,171,709	396,151	12.5%
65 and over	803,623	311,188	40,219	12.9%	492,435	32,978	6.7%

Source: U.S. Census 2010

**Table 7. Employment Status for Missouri poverty status population 16 years and over**

Employment status below poverty line	Number	Percentage
Worked full time, year-round	53,868	8.6%
Worked part-time or part-year	219,891	35.2%
Did not work	351,642	56.2%

Source: U.S. Census 2010

**Table 8. Veterans and Poverty in Missouri**

	Missouri	United States
% of Population 18 and over that are Veterans	11.0%	9.4%
% of Veterans below Poverty Level	7.7%	6.7%
% of Veterans below Poverty Level with Disability	38.7%	37.0%
% of Veterans over Poverty Level with disability	26.2%	24.7%

Source: U.S. Census 2010

**Table 9. Missouri Veterans as of Sept. 30, 2010**

<b>Total</b>	<b>505,900</b>
Peacetime Service	132,300
Wartime Service	373,600
Gulf War	119,800
Vietnam	171,800
Korean Conflict	55,200
World War II	42,700
Men	468,100
Women	37,800
Homeless (average annual)	13,549

Sources: U.S. Census Bureau and U.S. Department of Veterans Affairs

**Table 10. National Unemployment Rates of Veterans by Period of Service, 2009**

Gulf War I (1990-2001)	7.8%
Multiple war periods	5.9%
Peacetime	8.5%
Gulf War II (post 9/11/01)	13%
Vietnam Era	7.9%

Source: U.S. Dept. of Veterans Affairs, National Center for Veterans Analysis and Statistics, 2010

**Table 11. Combined Cases Closed by Legal Aid Services**

	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>Change Count</b>	<b>Change Percent</b>
Consumer	1,619	1,687	1,817	198	11.9%
Education	227	390	385	158	70.5%
Employment	91	131	160	69	66.1%
Family	6,636	7,338	7,332	696	10.5%
Juvenile	538	605	626	88	15.9%
Health	1,827	1,829	2,203	376	20.6%
Housing	2,871	3,879	3,670	799	29.7%
Income Maintenance	1,189	1,196	1,059	-130	-10.9%
Individual Rights	552	477	340	-212	-42.3%
Other / Misc.	7,255	9,537	8,434	1,179	19.9%
Total	22,805	27,069	26,026	3,221	14.8%

Source: Annual reports submitted by legal aid offices to Supreme Court of Missouri

**Table 12. Cases Filed in Missouri by Type**

<b>Count</b>			
	<b>FY09</b>	<b>FY10</b>	<b>FY11</b>
Total	829,802	797,734	778,619
Civil	401,249	385,563	378,247
Criminal	398,042	381,822	370,258
Juvenile	17,588	17,358	17,470
Probate	12,923	12,991	12,644
<b>Percent</b>			
	<b>FY09</b>	<b>FY10</b>	<b>FY11</b>
Total	100.0%	100.0%	100.0%
Civil	48.4%	48.3%	48.6%
Criminal	48.0%	47.9%	47.6%
Juvenile	2.1%	2.2%	2.2%
Probate	1.6%	1.6%	1.6%

Source: Missouri Judicial Report Supplement

**Table 13. Cases Initiated with PETITION FILED – NO FEES, by Fiscal Year**

<b>Case Category</b>	<b>FY09</b>	<b>FY10</b>	<b>FY11</b>	<b>Percent Change</b>
Consumer - Finance	300	446	1,070	188.6%
Employment	4,478	1,298	2,069	-11.6%
Family	11,324	11,292	12,139	7.2%
Juvenile	814	730	725	-11.0%
Housing	676	330	972	143.4%
Income Maintenance			1	
Individual Rights	871	796	895	3.8%
Miscellaneous	1,099	1,230	1,239	12.7%
<b>Total</b>	<b>19,562</b>	<b>16,122</b>	<b>19,110</b>	<b>0.9%</b>

Source: Missouri Judicial Information System

**Table 14. Cases with a Motion for *In Forma Pauperis*, Fiscal 2011**

<b>Legal Aid Category</b>	<b>Motion Count</b>	<b>Percent</b>
Consumer-Finance	44	1.9%
Employment	4	0.2%
Family	1351	59.0%
Juvenile	125	5.5%
Housing	7	0.3%
Income Maintenance	1	0.0%
Individual Rights	489	21.4%
Miscellaneous	267	11.7%
<b>Total</b>	<b>2288</b>	<b>100.0%</b>

Source: Missouri Judicial Information System

**Table 15. Salary**

	<b>Frequency</b>	<b>Percent</b>	<b>Valid Percent</b>	<b>Cumulative Percent</b>
Unemployed	299	6.1	6.1	6.1
\$0 - 10,999	1461	29.7	29.7	35.8
\$11,000 - 19,999	859	17.5	17.5	53.2
\$20,000 - 29,999	907	18.4	18.4	71.6
\$30,000 - 39,999	650	13.2	13.2	84.8
\$40,000 - 49,999	312	6.3	6.3	91.2
\$50,000 or over	433	8.8	8.8	100.0
<b>Total</b>	<b>4921</b>	<b>100.0</b>	<b>100.0</b>	

Source: Representing Yourself in Missouri Courts Users Survey Results for CY 2011

**Table 16. If YES to attorney consulted, reason**

	<b>Frequency</b>	<b>Percent</b>	<b>Valid Percent</b>	<b>Cumulative Percent</b>
I did not like him or her	12	.7	.7	.7
Lawyer had a conflict	30	1.8	1.8	2.5
Personal reasons	95	5.8	5.8	8.3
None of the above	173	10.5	10.5	18.8
I think I can represent myself	264	16.0	16.0	34.8
Too expensive	1074	65.2	65.2	100.0
Total	1648	100.0	100.0	

Source: Representing Yourself in Missouri Courts Users Survey Results for CY 2011

**Table 17. If NO to attorney consulted, reason**

	<b>Frequency</b>	<b>Percent</b>	<b>Valid Percent</b>	<b>Cumulative Percent</b>
I can afford to hire a lawyer, but I do not want to hire one	240	7.6	7.6	7.6
None of the above	398	12.5	12.5	20.1
I want to hire a lawyer, but I cannot afford one	1253	39.4	39.4	59.5
I think I can represent myself	1286	40.5	40.5	100.0
Total	3177	100.0	100.0	

Source: Representing Yourself in Missouri Courts Users Survey Results for CY 2011

**Table 18. Matter Type**

	<b>Frequency</b>	<b>Percent</b>	<b>Valid Percent</b>	<b>Cumulative Percent</b>
Paternity	68	1.2	1.2	1.2
Order of Protection (Domestic Violence)	73	1.3	1.3	2.5
Enforcement of Orders	76	1.3	1.3	3.8
Other (please specify below)	146	2.6	2.6	6.4
Modification	225	4.0	4.0	10.4
Name Change	278	4.9	4.9	15.3
Visitation	320	5.6	5.6	20.9
Child Support	547	9.6	9.6	30.6
Custody Issues	681	12.0	12.0	42.6
Divorce	3256	57.4	57.4	100.0
Total	5670	100.0	100.0	

Source: Representing Yourself in Missouri Courts Users Survey Results for CY 2011